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<u>TO</u>	<u>FROM</u>
Name: Examiner Pedro Cuevas	Chi H. Kang
Firm: USPTO	Phone No.: 571-203-2738
Fax No.: 703-746-4166	Fax # Verified by: Ria Dellawar
Phone No.: 703-308-4804	# Pages (incl. this) 3
Subject: USPTO Decision Dated July 9, 2003	Date: January 22, 2004
Appl. No.: 09/832,906	
Attorney Docket: 07303.0072	

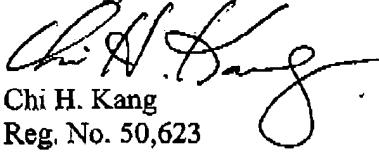
Confirmation Copy to Follow: No

Message:

Examiner Cuevas:

According to our telephone conversation this afternoon, I am enclosing a copy of the USPTO decision dated July 9, 2003. Given the delay incurred up to this point, a prompt issuance of an Office Action is earnestly requested. Please call me at 571-203-2738 if you have any questions.

Sincerely,


Chi H. Kang
Reg. No. 50,623

If there is a problem with this transmission, notify fax room at (202) 408-4174 or the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.



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7303-72

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U.S. PATENT AND TRADEMARK OFFICE

In re Application of:
Andrew J. Hazelton
Application No. 09/832,906
Filed: April 12, 2001
Attorney Docket No. 37192-2004700

DECISION ON PETITION
TO WITHDRAW HOLDING
OF ABANDONMENT

This is a decision on the communication filed March 20, 2003. The communication has been treated as petition under 37 C.F.R. § 1.181, to withdraw the holding of abandonment. No petition fee is required.

The petition is GRANTED.

The application was held abandoned for failure to timely respond to the an Office action mailed on September 18, 2002. In the absence of a timely filed response, the application was abandoned by operation of law at midnight on March 18, 2003.

Petitioner asserts that the Office action, dated September 18, 2002, was not received at the proper correspondence address. It is asserted that a proper Revocation of Power of Attorney, which included a Change of Correspondence Address, was filed on December 14, 2001.

A review of the written record indicates that the Revocation of Power of Attorney and Change of Correspondence Address was received in the in the United States Patent and Trademark Office on December 14, 2001, but not properly processed in the application file. As a result, the Office action mailed on September 18, 2002, was sent to an incorrect address. Accordingly, the application was not, in fact, abandoned.

For the above stated reason, the petition is granted. The holding of abandonment is hereby withdrawn.

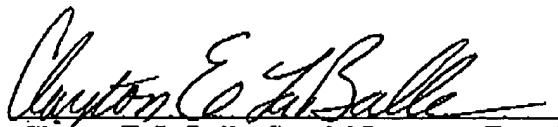
The application file is being forwarded to the Technology Center 2800 support staff for remailing the Office action. The shortened statutory period for response set therein will be reset to run from the date the Office action is remailed. Extensions of time are available under 37 C.F.R. § 1.136.

OK/1
7-11-03

Application No. 09/832,906
Decision on Petition to Withdraw Holding of Abandonment

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Inquiries regarding this decision should be directed to Clayton E. LaBalle at (703) 308-4858.



Clayton E. LaBalle, Special Programs Examiner
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